

entitled "An Act to change and fix the time for holding the courts in the Fifty-fourth Judicial District of the State of Texas, and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

HANGER, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.  
*Hon J. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 144, being a bill to be entitled "An Act to reorganize the Twenty-seventh, Twenty-third and Thirty-fifth Judicial Districts; to name the counties composing the same; to fix the terms of holding courts therein; to provide for the extension and return of process issued out of said courts, and to repeal all laws and parts of laws in conflict therewith,"

And find the same correctly engrossed.  
BEATY, Chairman.

#### ADJOURNMENT.

On motion of Senator Davidson of DeWitt, the Senate, at 12:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow, leaving Substitute Senate bill No. 72 pending on engrossment.

#### TWENTY-EIGHTH DAY.

Senate Chamber,  
Austin, Tex., Thursday, Feb. 21, 1901.  
Senate met pursuant to adjournment.  
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—26.

Beaty.	Neal.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Dibrell.	Sebastian.
Goss.	Stafford.
Grinnan.	Staples.
Hanger.	Turner.
Harris of Bexar.	Turney.
Harris of Hunt.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.

Absent—2.

McGee.

Swann.

Absent—Excused.

James.

Odell.

Miller.

Prayer was offered by the Rev. Dr. Bradfield, of Austin, Texas.

Pending the reading of the Journal of yesterday,

On motion of Senator Johnson, the same was dispensed with.

#### PETITIONS AND MEMORIALS.

Senator Wayland presented a petition from citizens of Brazos county, asking an appropriation of \$25,000 for the Texas Volunteer Guard.

Read, and referred to Committee on Finance.

#### COMMITTEE REPORTS.

The following committee reports were made to the Senate:

Committee Room,  
Austin, Texas, February 15, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 118, being "An Act to authorize the sale and release of all the interest which the State of Texas or the Confederate Home, situated in the city of Austin, or either of them, acquired under the last will of J. E. Allen, deceased, late of Hunt county, Texas, to certain lands situated in said county, Texas,"

And find the same correctly enrolled, and have this day, at 11:30 a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,  
Austin, Texas, February 13, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 48, being "An Act to amend Section 4 of an act entitled 'An Act to provide for the establishment, maintenance and government of a State normal school to be located at Denton, Texas, and to be known as the North Texas Normal College,' being Chapter LIII of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-sixth Legislature, approved

March 31, 1899, and to regulate admission of students to said college and provide for the maintenance of the same, and to declare an emergency,"

And find the same correctly enrolled, and have this day, at 10:30 a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,  
Austin, Texas, February 13, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 7, A concurrent resolution expressing gratitude for relief extended sufferers from storm of September 8, 1900,

And find the same correctly enrolled, and have this day, at 10:30 a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 119, being a bill to be entitled "An Act to set apart annually one per cent. of the permanent school fund to the credit of the available school fund of the State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 205, being a bill to be entitled "An Act to establish and maintain kindergarten schools in cities, towns and villages incorporated under the laws of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 9, being a bill to be entitled "An Act to amend Article 3905, Chapter 7, Title LXXXVI, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass* with the following amendment:

"Amend Article 3905 by striking out the word 'seventeen' and inserting in lieu thereof the word 'eighteen.'"

PAULUS, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 196, being a bill to be entitled "An Act to fix the fees of county judges for approving the bonds of liquor dealers,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it be recommitted and referred to Judiciary Committee No. 1.

PAULUS, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 169, being a bill to be entitled "An Act to amend an act passed at the Regular Session of the Twenty-sixth Legislature, approved April 20, 1899, entitled 'An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education in the investment of the permanent free school fund, and adding thereto Articles 3891a and 3894a giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities, and providing that when a premium is paid for bonds the Board of Education shall refund the same; and to authorize commissioners courts to invest the permanent public free school fund belonging to the counties in this State as provided

in this act for the investment of the State permanent public free school fund,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 191, being a bill to be entitled "An Act to repeal Article 4930, of Chapter 1, Title CII, of the Revised Statutes of the State of Texas of 1895,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 167, being a bill to be entitled "An Act to amend Article 645, of Chapter 2, of the Acts of 1874, relating to charters of corporations,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 189, being a bill to be entitled "An Act to amend Article 2958 (2842), Title LV, Chapter 1, of the Revised Civil Statutes of 1895 of the State of Texas, relating to marriage licenses,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 203, being a bill to be

entitled "An Act to amend Article 994a of the Revised Statutes of the State of Texas of 1895, providing for the manner of transferring cases from one Court of Civil Appeals to another,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 182, being a bill to be entitled "An Act to provide for the levy and collection of an additional annual State ad valorem tax of five cents on the one hundred dollars valuation to be known as a 'special quarantine tax' for the purpose of paying the expenses of the several counties in this State in the execution and enforcement of the quarantine laws of this State, and prescribing the mode and manner in which the same shall be disbursed, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

STAFFORD, Chairman.

#### MAJORITY REPORT.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

House bill No. 137, being a bill to be entitled "An Act to amend Title LVIII of the Revised Civil Statutes, relating to the subject of insurance, by adding thereto Chapter 5, embracing Articles 3096aa, 3096bb, 3096cc, 3096dd and 3096ee, providing that no insurance contract shall be held void because of immaterial misrepresentations made in the application thereof, or in the contract of insurance, and providing conditions upon which a defense may be made upon the ground of misrepresentation in the application, or in the contract, or in proof of death or loss, and making such contract subject to the laws of this State; and prescribing conditions upon which foreign insurance corporations shall be permitted to do business in this State,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it *do not* pass.

STAFFORD, Chairman.

#### MINORITY REPORT.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: We, a minority of your Judiciary Committee No. 1, to whom was referred

House bill No. 137, being a bill to be entitled "An Act to amend Title LVIII of the Revised Civil Statutes, relating to the subject of insurance, by adding thereto Chapter 5, embracing Articles 3096aa, 3096bb, 3096cc, 3096dd and 3096ee, providing that no insurance contract shall be held void because of immaterial misrepresentations made in the application thereof, or in the contract of insurance, and providing conditions upon which a defense may be made upon the ground of misrepresentation in the application, or in the contract, or in proof of death loss, and making such contract subject to the laws of this State; and prescribing conditions upon which foreign insurance corporations shall be permitted to do business in this State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

STAPLES,  
POTTER.

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 109, being a bill to be entitled "An Act requiring deposits of fire insurance companies,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

McGEE, Chairman.

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 21, being a bill to be entitled "An Act to amend Article 593, Title XV, Chapter 1, Penal Code of the State of Texas, and by adding thereto Subdivisions 7 and 8, and to repeal a

portion of Article 595, Title XV, of the Penal Code."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

TURNEY, Chairman.

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 64, being a bill to be entitled "An Act to define unlawful intercourse, and to provide a penalty therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

TURNEY, Chairman.

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 140, being a bill to be entitled "An Act to amend Articles 529, 529e and 529g, and repealing Article 529l, of Chapter 56, of the General Laws of the State of Texas of 1899; and adding Articles 529v and 529w to Chapter 5, Title XIII, of the Revised Penal Code of the State of Texas of 1895; and amending Article 529s, of Chapter 98, of the General Laws of the State of Texas of 1897, relating to the offenses for the protection of fish, birds, game, etc., and repealing all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

TURNEY, Chairman.

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 172, being a bill to be entitled "An Act to amend Chapter 25, Article 338, of the Acts of 1897, and to add thereto Article 338a,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass.

TURNEY, Chairman.

Committee Room,  
Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 190, being a bill to be entitled "An Act declaring the failure of guardians and administrators to make all reports, statements and settlements required of them by law, within thirty days after lawful notice by the judge of the county where such guardianship or administration is pending, a misdemeanor, and prescribing a penalty therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

TURNEY, Chairman.

Committee Room,  
Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 117, being a bill to be entitled "An Act to provide for the punishment of any one guilty of kidnapping or carrying away any child or other person,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass* with the following amendment:

"Amend by striking out of Section 1 the words 'State prison for such a length of time as the cruelties of the case may demand' and insert in lieu thereof the words 'penitentiary for any number of years not less than ten.'"

TURNEY, Chairman.

Committee Room,  
Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 162, being a bill to be entitled "An Act to amend Article 472, Chapter 8, Title XII, of the Revised Statutes, and repeal all laws and parts of laws in conflict herewith, and to add thereto Articles 478a, 478b and 478c,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

TURNEY, Chairman.

Committee Room,  
Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Penitentiaries, to whom was referred

Senate bill No. 132, being a bill to be entitled "An Act to confer authority on the Governor to issue paroles to meritorious convicts, and to make and establish rules to carry the same into effect,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

NEAL, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Stock and Stock-raising, to whom was referred

Senate bill No. 124, being a bill to be entitled "An Act to provide for the protection of domestic animals, for the creation of a live stock sanitary commission; to provide rules and regulations therefor; to provide penalties for violating the same; to make appropriations to carry out the provisions of this act; to repeal Chapter 7, Title CII, of the Revised Statutes of 1895, relating to the Live Stock Sanitary Commission; and further, to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

GOSS, Chairman.

Committee Room,  
Austin, Texas, February 15, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Counties and County Boundaries, to whom was referred

Senate bill No. 153, being a bill to be entitled "An Act authorizing owners of land to drain the same in the general course of natural drainage, and exempting them from liability for any damage occasioned by such drainage, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

LIPSCOMB, Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Hanger:

Senate bill No. 210, A bill to be entitled

"An Act to permit owners of real estate sold to the State of Texas for taxes to redeem the same."

Read first time, and referred to Judiciary Committee No. 1.

The Chair here declared the morning call concluded.

#### ASSISTANT SERGEANT-AT-ARMS

The Chair announced that in the absence of Assistant Sergeant-at-Arms Hughes, detained at home by sickness, general committee clerk Levi Lloyd had been designated to act, temporarily, in his stead.

#### HOUSE BILL NO. 137—RECOM- MITTED.

On motion of Senator Stafford, House bill No. 137, reported today with majority unfavorable and minority favorable committee reports, was ordered recommended to Judiciary Committee No. 1.

#### FIRST EXECUTIVE MESSAGE.

The following first executive message was delivered to the Senate:

EXECUTIVE OFFICE,  
STATE OF TEXAS.  
Austin, February 20, 1901.

*To the Senate:*

In compliance with Concurrent Resolution No. 14 of the Legislature, requesting the return of Substitute House bill No. 102 to the house in which the same originated for further consideration, I have this day transmitted the said bill to the House of Representatives.

JOSEPH D. SAYERS,  
Governor.

#### SECOND EXECUTIVE MESSAGE.

The following second executive message was delivered to the Senate:

EXECUTIVE OFFICE,  
STATE OF TEXAS.  
Austin, February 21, 1901.

*To the Senate:*

The advice and consent of the Senate is asked to the appointment of L. W. Moore, of Fayette county, as judge of the Twenty-second Judicial District, in place of H. Teichmueller, deceased.

JOSEPH D. SAYERS,  
Governor.

#### EXECUTIVE SESSION—TIME SET FOR.

On motion of Senator Paulus, the rule requiring executive appointments to lay on the table for one day was suspended, and the hour of 11 a. m. today was designated as the time when the Senate

would consider the appointment made in the second executive message above.

#### SENATE BILL NO. 175—ON SECOND READING.

On motion of Senator Davidson of DeWitt, the pending business (Substitute Senate bill No. 72) was suspended and the Senate took up out of its order

Senate bill No. 175, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, upon certain conditions; and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or either or any of such railroads, with its or their franchises and appurtenances; and to authorize the owners of each of said railroads and its or their franchises and appurtenances to sell the same; to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased, and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act as fixed, or as the same may be fixed, by the Railroad Commission of Texas; and to regulate the reports of such properties and the operations thereof; to provide for the dismissal without prejudice of the pending suit to forfeit the charter of the Austin & Northwestern Railroad Company; and to authorize the Houston & Texas Central Railroad Company to construct, own, operate and maintain, or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain a railroad from a connection with the Austin & Northwestern Railroad in Burnet county to the town of Lampasas."

The Chair laid the bill before the Senate, on its second reading.

Bill was read second time, and

Senator Yett offered the following amendment:

"Amend by adding to the end of Section 2 the following: 'Provided, that said Houston & Texas Central Railroad Company shall establish and maintain

division headquarters in the city of Austin, and if the city of Austin shall, within ninety days after the taking effect of this act, grant it the right to lay and maintain suitable tracks therefor, said Houston & Texas Central Railroad Company shall by the first day of December, 1902, contract and complete a comfortable and commodious brick passenger station in the vicinity of Congress Avenue in said city of Austin."

Amendment was read, and adopted, and

Senator Yett offered the following amendment:

"Amend by adding to the end of Section 5 the following: 'Provided, that upon the purchase of the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances, by the Houston & Texas Central Railroad Company, as authorized by this act, the right of way for that portion of the existing track of the Fort Worth & New Orleans Railway Company extending from the westerly line of Ferris street to the southeasterly line of Kaufman street in the city of Waxahachie, and depot grounds adjacent to said track between said points, which right of way and depot grounds were heretofore donated to said Fort Worth & New Orleans Railway Company, or occupied by it without conveyances thereof, shall, without any further act upon the part of either of the companies named in this act, revert to and become vested in the persons donating or paying for and donating the same to said Fort Worth & New Orleans Railway Company, or to the persons from whom the same was appropriated in fee simple according to the respective interests therein as the same may be equitably determined as between them, and the said railway company shall have no further interest therein, and the depot buildings upon said grounds, together with rails, ties and other material in said track, may be removed by said railway company, or its assigns, and said track shall be abandoned and discontinued.'"

Amendment was read, and adopted, and

Senator Yett offered the following amendment:

"Amend by adding at the end of Section 6 a new section to be designated as Section 7 (changing existing Section 7 to Section 8), to read as follows:

"Section 7. In any suit or action of any character against any company authorized by this act to sell its railway, with its franchises and appurtenances, upon any cause of action or ground of

forfeiture existing at the time of such purchase and sale, a citation may be issued to such company and be served upon the last president, vice-president or secretary of such company, or upon the president, vice-president or secretary or any local agent of said Houston & Texas Central Railroad Company, and when so issued and served shall have the same force and effect as if served upon such selling company prior to such sale and purchase; and any judgment of any debt of or claim against any such company may be satisfied by sale of any of the property which said company is authorized by this act to sell to said Houston & Texas Central Railroad Company; provided, said Houston & Texas Central Railroad Company shall not be personally liable for any debts or claims against either of the companies now owning any of the property authorized by this act to be sold."

Amendment was read, and adopted, and

Senator Potter offered the following amendment:

"Amend the bill, line 22, Section 2, page 3, of printed bill, by adding after the word 'dismissed' the following: 'At the cost of the defendant.'"

Amendment was read, and adopted.

The bill was then ordered engrossed.

On motion of Senator Yett, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
Hanger.	Turney.
Harris of Bexar.	Wayland.
Harris of Hunt.	Wheeler.
Johnson.	Wilson.
Lipscomb.	Yett.
Neal.	

Nays—1.

Lloyd.

Absent.

McGee.

Swann.

Absent—Excused.

James.

Odell.

Miller.

Bill was read third time, and passed by the following vote:

## Yeas—22.

Beaty.	Neal.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
Hanger.	Turney.
Harris of Bexar.	Wayland.
Johnson.	Wilson.
Lipscomb.	Yett.

## Nays—3.

Harris of Hunt.	Wheeler.
Lloyd.	

## Absent.

McGee.	Swann.
Sebastian.	

## Absent—Excused.

James.	Odell.
Miller.	

Senator Yett moved to reconsider the vote by which the bill was passed and lay that motion on the table.

Motion to table prevailed.

## HOUSE BILL NO. 365—SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

House bill No. 365, "An Act to amend Sections 7, 8 and 10 of 'An Act to provide for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor,' passed by the Twenty-sixth Legislature of the State of Texas, and approved February 9, 1899; and to repeal an act of the First Called Session of the Twenty-sixth Legislature on the same subject, approved February 20, 1900, and all other laws in conflict herewith."

## SENATE BILL NO. 101—ON THIRD READING.

On motion of Senator Grinnan, the pending business (Substitute Senate bill No. 72) was suspended and the Senate took up out of its order

Senate bill No. 101, A bill to be entitled "An Act to prohibit the keeping or exhibiting for the purpose of profit or gaming any gaming table or bank, pigeon hole table or jenny lind table, or nine or ten pin alley or alley of any kind whatever, regardless of the number of pins, balls or rings, used for profit or gaming."

The Chair then laid the bill before the Senate, on its third reading.

Bill was read third time, and

Senator Patterson offered the following amendment:

"Amend by adding after the word 'days,' in line 26, on page 1, the following: 'Regardless of whether any of the above mentioned games, tables, banks or alleys are licensed by law or not.'"

Amendment was read, and adopted, and

Senator Grinnan offered the following amendment:

"Amend the bill by adding after the word 'bank,' in line 8, and after the words 'rings used,' in lines 19 and 23, the following, 'or slot machines.'"

Amendment was read, and adopted, and

The bill was then passed.

# SUBSTITUTE SENATE BILL NO. 72— PENDING BUSINESS—ON EN- GROSSMENT.

The Chair then laid before the Senate, on its engrossment, the pending business, Substitute Senate bill No. 72, A bill to be entitled "An Act to provide for a mineral survey of the State of Texas, and to make an appropriation therefor." The bill was ordered engrossed.

# SENATE CONCURRENT RESOLU- TION NO. 3—ON ADOPTION.

On motion of Senator Johnson, the special order of business (Senate bill No. 29) was suspended and the Senate took up out of its order

Senate Concurrent Resolution No. 3, being as follows:

Whereas, The present crowded condition and the rapid increase of the business of the Treasury department makes it imperative that additional room be provided; and

Whereas, His Excellency the Governor, in his message to the Twenty-seventh Legislature, recommends that provisions be made for the carrying out of Article 2858 of the Revised Statutes, making it mandatory on the part of the Treasurer to keep account of all appropriations made by law, and making it the duty of the Treasurer also to keep an account of all State, county and city bonds of which he may be the custodian for the several funds, and to carry out said recommendations suggests that two additional clerks be allowed said department; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the room adjoining the Treasury department now occupied by the Attorney General be and is hereby set apart for the use



and occupancy of the Treasury department, and that the room immediately west of the Attorney General's department be and is hereby set apart for the use and occupancy of the Attorney General's department.

To carry out the provisions of this resolution the Superintendent of Public Buildings and Grounds is hereby authorized and directed to make necessary opening from the room used by the Attorney General's department to that now occupied by the Treasury department adjoining.

The resolution was read, and

Senator Johnson offered the following amendment:

"Amend Senate Concurrent Resolution No. 3 by adding after the words 'Attorney General's department,' in line 22, the following: 'Provided, that the vault opening into the room herein set apart for the use of the Treasury department shall be reserved for the use of the Attorney General's department.'"

Pending action on the foregoing, further consideration of the resolution and amendment was, on motion of Senator Johnson, postponed until Tuesday, February 26th, at the conclusion of the morning call.

#### SENATE BILL NO. 181—MADE A SPECIAL ORDER.

On motion of Senator Turner, the special order of business (Senate bill No. 29) was suspended and the Senate took up out of its order

Senate bill No. 181, A bill to be entitled "An Act to ascertain and adjudicate by suit, against or by the State, certain claims against or in favor of the State for land lying between the Nueces and the Rio Grande rivers; to adjust and settle the rights of the State and the owners or claimants thereof, respectively, of such land, and if found valid to confirm, as against the State, the right and title of such claimants or owners, and patent the same, or the recovery thereof by the State."

The Chair then laid the bill before the Senate, on its second reading, and pending second reading.

On motion of Senator Turner, it was made a special order for tomorrow, after the morning call.

#### EXECUTIVE SESSION.

The Chair here announced the hour of 11 o'clock a. m., the time set for an executive session in which to consider the appointment made in the second executive message (see same above), and, accordingly, the chamber was cleared.

#### IN EXECUTIVE SESSION.

In executive session the following confirmation was had:

For judge of the Twenty-second Judicial District—L. W. Moore, vice H. Teichmueller, deceased.

#### AFTER EXECUTIVE SESSION—SENATE BILL NO. 181—VOTE RE-CONSIDERED.

On motion of Senator Hanger, the special order of business (Senate bill No. 29) was suspended and the Senate took up out of its order

Senate bill No. 181 (see caption under heading above).

The Chair then again laid the bill before the Senate, on its second reading, and

On further motion of Senator Hanger, the vote by which it was made a special order for tomorrow was reconsidered, and

Senator Turner then withdrew his motion making the bill a special order, and moved to lay it on the table subject to call.

Motion to table the bill subject to call prevailed.

(Senator Potter in the chair.)

#### SENATE BILL NO. 29—SPECIAL ORDER OF BUSINESS.

The Chair (Senator Potter) then laid before the Senate, the special order of business,

Senate bill No. 29 (industrial school bill—see caption under heading above), action being on engrossment, and

Senator Wayland offered the following amendment:

"Amend page 1, line 13, by inserting after the word 'at' the following: 'Or near College Station and be considered an annex of the A. and M. College and subject to such rules and regulations as the board of directors of said college may prescribe for the government of said industrial institute.'"

#### SENATE BILL NO. 29—LETTER OF EXPLANATION.

Pending action on his amendment, Senator Wayland submitted the following letter:

DEPARTMENT OF AGRICULTURE.

OFFICE OF SECRETARY.

Washington, D. C., February 6, 1901.

Mr. W. R. Cavitt, care of Hon. J. L. Fountain, Austin, Texas.

DEAR SIR: I have received your letter of January 30th, regarding the admission of women to the Agricultural and

Mechanical College of Texas. Courses of instruction for women are provided in fifty-three agricultural colleges out of the total of sixty-four such colleges in the United States. In many of these institutions a considerable number of women are in attendance, and courses adapted to their special needs along industrial lines are provided. Without doubt coeducation has been a success in these institutions and is on the increase. At the Iowa Agricultural College this arrangement has been very successful, and an increasing number are in attendance from year to year. Outside of the agricultural colleges, coeducation has been adopted in many of the State universities and denominational colleges. Even such conservative institutions as Harvard and Columbia universities have found it desirable to provide arrangements by which women could obtain instruction from the same teachers as the men, and the same "annexes" for women at these institutions are attended by hundreds of students. In one form or another, coeducation may not be said to be the prevailing custom in American institutions for higher education. In its intellectual and moral aspects, coeducation has been found beneficial for both sexes, and as an economical arrangement by which the same grounds, buildings, apparatus and faculty may be employed for the education of both men and women, it has very much in its favor.

Very respectfully yours,  
(Signed) JAMES WILSON,  
Secretary.

#### SENATE BILL NO. 29—FIRST POINT OF ORDER.

Pending action on the amendment offered by Senator Wayland, Senator Goss raised the point of order that an amendment has already been adopted of which the pending amendment was contradictory.

The Chair overruled the point of order, and

Senator Johnson offered the following substitute for the amendment:

"Substitute the amendment by striking out all of the amendment and inserting in lieu thereof after line 13, Sec. 1, page 1, the words 'at Greenville, Texas.'"

#### SENATE BILL NO. 29—SECOND POINT OF ORDER.

Pending action on the foregoing amendment and substitute, Senator Goss raised the point of order that neither was in order because each were, in terms, contradictory of an amendment hereto-

fore adopted; and, being conflicting, would render the bill non-susceptible of construction, hence inoperative.

The Chair overruled the point of order. (Lieutenant-Governor Browning in the chair.)

#### ADJOURNMENT.

Pending further consideration of the bill and amendments, the Senate, at 12:45 o'clock p. m., on motion of Senator Dibrell adjourned until 3 o'clock p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

##### Present—25.

Beaty.	Neal.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Goss.	Sebastian.
Grinnan.	Staples.
Hanger.	Turner.
Harris of Bexar.	Turney.
Harris of Hunt.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.
Miller.	

##### Absent—4.

Dibrell.	Stafford.
McGee.	Swann.

##### Absent—Excused.

James.	Odell.
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#### SENATE BILL NO. 29—PENDING BUSINESS.

The Senate then proceeded with consideration of Senate bill No. 29, and

Senator Turney moved to table both amendment and substitute (see record of morning session).

Senator Savage called for a division of the question, and the Chair put the question: "Shall the substitute be tabled?"

Motion to table prevailed.

Senator Sebastian moved to reconsider the vote by which the substitute was tabled, which motion prevailed by the following vote:

##### Yeas—16.

Beaty.	Goss.
Davidson of	Grinnan.
DeWitt.	Johnson.
Davidson of	Lipscomb.
Galveston.	Neal.

Paulus.	Turner.
Savage.	Turney.
Sebastian.	Wayland.
Staples.	Yett.

## Nays—9.

Hanger.	Patterson.
Harris of Bexar.	Potter.
Harris of Hunt.	Wheeler.
Lloyd.	Wilson.
Miller.	

## Absent.

Dibrell.	Stafford.
McGee.	Swann.

## Absent—Excused.

James.	Odell.
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Senator Turney then withdrew his motion to table the substitute by Senator Johnson, and

Senator Hanger renewed the motion, and the same prevailed, and

Senator Hanger further moved to table the amendment, and the same prevailed by the following vote, the President of the Senate voting "yea":

## Yeas—14.

Hon. J. N. Browning, President.

Beaty.	Miller.
Goss.	Potter.
Grinnan.	Sebastian.
Hanger.	Wheeler.
Harris of Bexar.	Wilson.
Harris of Hunt.	Yett.
Lipscomb.	

## Nays—13.

Davidson of	Paulus.
DeWitt.	Savage.
Davidson of	Stafford.
Galveston.	Staples.
Johnson.	Turner.
Lloyd.	Turney.
Neal.	Wayland.
Patterson.	

## Absent.

Dibrell.	Swann.
McGee.	

## Absent—Excused.

James.	Odell.
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Senator Grinnan offered the following amendment:

"Amend by adding to Section 9 the following: 'Provided, that no place shall be selected for the location of said school in any county in this State unless said site is furnished without cost or expense to the State; and provided, that no site shall be selected in any county where any member of said board resides, and any contract made by said board in conflict herewith shall be void.'"

Pending action on the foregoing,

Senator Potter offered the following amendment to the amendment:

"Strike out all after the word 'State' down to and including the word 'resides.'"

Senator Grinnan moved to table the amendment to the amendment.

Motion to table was lost.

Action recurring upon the amendment to the amendment the same was adopted by the following vote:

## Yeas—13.

Davidson of	Potter.
Galveston.	Savage.
Goss.	Sebastian.
Hanger.	Staples.
Harris of Hunt.	Turner.
Lipscomb.	Turney.
Miller.	Yett.

## Nays—10.

Davidson of	Patterson.
DeWitt.	Stafford.
Grinnan.	Wayland.
Harris of Bexar.	Wheeler.
Lloyd.	Wilson.
Neal.	

## Present—Not voting.

Dibrell.

## Absent.

Beaty.	Paulus.
Johnson.	Swann.
McGee.	

## Absent—Excused.

James.	Odell.
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Senator Wayland offered the following amendment to the amendment:

"Amend the amendment by adding thereto the following: 'Provided, that the tenure of office of the board of regents, provided for in Section 2, shall terminate when the girls' industrial school is located, and the government of said school shall be thereafter vested in a new board to consist of seven persons from different sections of the State, if said school be not located at any existing State institution of learning; but should said school be located at any existing State school, the government thereof shall be vested in the board of directors, regents or trustees of such school, and they shall be empowered to make such rules and regulations for the government of such school as they may deem advisable; provided further, that the regents to locate the girls' industrial school, herein provided for, shall not consider any donation of land, money, buildings or other property, as a bonus to secure the location of said school at any place, until the same has been placed in the possession of the Governor of Texas as trustee for said school, with power to deliver such donations of land,

money, buildings or other property to the legally constituted representatives of said school after it has been located, and the value of any lands, buildings or other property offered as a bonus to secure said school, shall be appraised by a board of three disinterested citizens and its cash value ascertained before being placed in possession of the Governor as trustee for said school.'"

Amendment to the amendment was read, and lost by the following vote:

Yeas—10.

Davidson of	Patterson.
DeWitt.	Stafford.
Dibrell.	Wayland.
Grinnan.	Wheeler.
Lloyd.	Wilson.
Neal.	

Nays—14.

Davidson of	Potter.
Galveston.	Savage.
Goss.	Sebastian.
Hanger.	Staples.
Harris of Bexar.	Turner.
Harris of Hunt.	Turney.
Lipscomb.	Yett.
Miller.	

Absent.

Beaty.	Paulus.
Johnson.	Swann.
McGee.	

Absent—Excused.

James.	Odell.
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Senator Savage offered the following amendment to the amendment:

"Amend by adding: 'Provided further, that in addition to the site a donation of at least \$20,000 for buildings shall be required by the board of the place securing said school; provided, said \$20,000 donation may be either in cash or improvements suitable for such school upon the site so donated.'"

Amendment to the amendment was read, and adopted by the following vote:

Yeas—16.

Davidson of	Patterson.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Grinnan.	Staples.
Johnson.	Wayland.
Lloyd.	Wheeler.
Miller.	Wilson.

Nays—8.

Goss.	Lipscomb.
Hanger.	Neal.
Harris of Bexar.	Paulus.
Harris of Hunt.	Turney.
Turner.	

Present—Not voting.

Absent.

Beaty.	Swann.
McGee.	Yett.

Absent—Excused.

James.	Odell.
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The amendment offered by Senator Grinnan, as amended, was then adopted.

Senator Davidson of DeWitt offered the following amendment:

"Amend by adding after the word 'building,' in line 27, page 3, of the bill: 'Said site shall be within one hundred and twenty-five miles of the city of Austin, Texas.'"

Pending action on the foregoing,

Senator Turner offered the following amendment to the amendment:

"Amend the amendment by striking out the words 'one hundred and twenty-five miles of.'"

Senator Miller moved to table both the amendment (by Senator Davidson of DeWitt) and the amendment to the amendment (by Senator Turner).

Motion to table prevailed.

#### SENATE BILL NO. 29—MOTION TO RECONSIDER VOTE.

Senator Lipscomb moved that the Senate reconsider and spread on the Journal the vote by which the following amendment by Senator Wayland was lost:

"Amend page 1, line 13, by inserting after the word 'at' the following: 'Or near College Station and be considered an annex of the A. and M. College, and subject to such rules and regulations as the board of directors of said college may prescribe for the government of said industrial institute.'"

(The roll call showed the mover to have voted with the affirmative.)

Senator Hanger called up the motion of Senator Lipscomb, and the Senate refused to reconsider by the following vote:

Yeas—10.

Davidson of	Neal.
DeWitt.	Patterson.
Dibrell.	Stafford.
Johnson.	Turney.
Lipscomb.	Wayland.
Lloyd.	

Nays—14.

Davidson of	Savage.
Galveston.	Sebastian.
Goss.	Staples.
Hanger.	Turner.
Harris of Bexar.	Wheeler.
Harris of Hunt.	Wilson.
Miller.	Yett.
Potter.	

Present—Not voting.  
 Grinnan. Paulus.  
 Absent.  
 Beaty. Swann.  
 McGee.  
 Absent—Excused.  
 James. Odell.

#### SENATE BILL NO. 29—PREVIOUS QUESTION ON ENGROSSMENT.

Senator Sebastian moved the previous question on the engrossment of the bill, which being seconded, the Chair put the question: "Shall the main question be ordered?"

The main question was ordered, and The bill was ordered engrossed, and

Senator Harris of Hunt moved to reconsider the vote by which the bill was ordered engrossed and lay that motion on the table.

Motion to table prevailed.

#### SENATE BILL NO. 77—PENDING BUSINESS—ON SECOND READING.

The Chair then laid before the Senate, pending business,

Senate bill No. 77, A bill to be entitled "An Act providing for the protection of laboring men, and prescribing a penalty for a breach thereof."

#### SENATE BILL NO. 142—ON SECOND READING.

Pending second reading of Senate bill No. 77,

On motion of Senator Dibrell, the pending business was suspended and the Senate took up out of its order

Senate bill No. 142, A bill to be entitled "An Act to provide for the organization, control, management and active operation of the Southwest Texas normal school, located at San Marcos, Hays county, Texas; the control and improvement of the grounds belonging to the same; the erection of the necessary buildings for said school; furniture for the same; water, lighting and heating of said buildings, and appropriating money for those purposes."

The Chair then laid the bill before the Senate, on its second reading.

Bill was read second time, and ordered engrossed.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.  
 Davidson of Galveston.  
 DeWitt. Dibrell.  
 Davidson of Grinnan.

17—Senate.

Hanger. Sebastian.  
 Harris of Bexar. Stafford.  
 Harris of Hunt. Staples.  
 Lipscomb. Turner.  
 Lloyd. Turney.  
 Miller. Wayland.  
 Neal. Wheeler.  
 Paulus. Wilson.  
 Savage. Yett.

Absent.

Beaty. Patterson.  
 Goss. Potter.  
 Johnson. Swann.  
 McGee.

Absent—Excused.  
 James. Odell.

Bill was read third time, and passed by the following vote:

Yeas—20.

Davidson of Neal.  
 DeWitt. Patterson.  
 Davidson of Paulus.  
 Galveston. Savage.  
 Dibrell. Sebastian.  
 Hanger. Stafford.  
 Harris of Bexar. Staples.  
 Harris of Hunt. Turner.  
 Lipscomb. Turney.  
 Lloyd. Wayland.  
 Miller. Wilson.

Nays—4.

Goss. Wheeler.  
 Grinnan. Yett.

Absent.

Beaty. Potter.  
 Johnson. Swann.  
 McGee.

Absent—Excused.  
 James. Odell.

Senator Dibrell moved to reconsider the vote by which the bill was passed and lay that motion on the table.

Motion to table prevailed.

#### HOUSE BILL NO. 164—ON SECOND READING.

On motion of Senator Davidson of DeWitt, the pending business (Senate bill No. 77) was suspended and the Senate took up out of its order

House bill No. 164, A bill to be entitled "An Act amending Articles 883 and 918e, of Chapter 2, Title XXV, Revised Statutes of Texas, 1895, relating to the issuance of bonds by counties and the registration by the Comptroller of bonds issued by counties, cities and towns; providing for the cancellation of old bonds when new bonds are issued in lieu thereof; providing that Articles 903, 904, 905, 906, 907 and 908 shall remain

in full force so far as they relate to bonds heretofore issued under Article 902, and all laws of which said article is amendatory; repealing all laws in conflict herewith, particularly Article 902, and declaring an emergency."

The Chair then laid the bill before the Senate, on its second reading.

Bill was read second time, and passed to a third reading.

(President Pro Tem. Miller in the chair.)

On motion of Senator Davidson of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Davidson of	Neal.
DeWitt.	Paulus.
Davidson of	Sebastian.
Galveston.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
Hanger.	Turney.
Harris of Bexar.	Wayland.
Harris of Hunt.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.
Miller.	

Nays—2.

Patterson. Savage.

Absent.

Beaty.	McGee.
Dibrell.	Potter.
Johnson.	Swann.

Absent—Excused.

James. Odell.

Bill was read third time, and passed by the following vote:

Yeas—23.

Davidson of	Neal.
DeWitt.	Paulus.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
Hanger.	Turney.
Harris of Bexar.	Wayland.
Harris of Hunt.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.
Miller.	

Absent.

Beaty.	Patterson.
Johnson.	Potter.
McGee.	Swann.

Absent—Excused.

James. Odell.

## COMMITTEE REPORTS.

By unanimous consent, the following committee reports were made to the Senate:

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 185, being a bill to be entitled "An Act to amend Article 518, Chapter 5, of the Penal Code, relating to the protection of fish, birds and game,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

TURNEY, Chairman.

## MAJORITY REPORT.

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 149, being a bill to be entitled "An Act to amend Section 1, of Article 993, Chapter 12, Title XXVII, of the Revised Civil Statutes of the State of Texas, changing the place of holding the Court of Civil Appeals for the First Supreme Judicial District from Galveston, Galveston county, Texas, to Houston, Harris county, Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

HANGER, Chairman.

## MINORITY REPORT.

Committee Room,

Austin, Texas, February 21, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: We, a minority of your Committee on Judicial Districts, to whom was referred

Senate bill No. 149, being a bill to be entitled "An Act to amend Section 1, of Article 993, Chapter 12, Title XXVII, of the Revised Civil Statutes of the State of Texas, changing the place of holding the Court of Civil Appeals for the First Supreme Judicial District from Galveston, Galveston county, Texas, to Houston, Harris county, Texas,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it *do* pass.

LIPSCOMB,  
DAVIDSON of DeWitt.

Committee Room,  
Austin, Texas, February 21, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 175, being a bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, upon certain conditions; and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances; or either or any of such railroads, with its or their franchises and appurtenances; and to authorize the owners of each of said railroads and its or their franchises and appurtenances to sell the same; to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased, and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act, as fixed or as the same may be fixed by the Railroad Commission of Texas; and to regulate the reports of such properties and the operations thereof; to provide for the dismissal without prejudice of the pending suit to forfeit the charter of the Austin & Northwestern Railroad Company; and to authorize the Houston & Texas Central Railroad Company to construct, own, operate and maintain, or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain a railroad from a connection with the Austin & Northwestern Railroad in Burnet county to the town of Lampasas."

And find the same correctly engrossed.  
BEATY, Chairman.

#### HOUSE BILL NO. 4—FREE CONFERENCE COMMITTEE REPORT.

The following Free Conference Committee report was made to the Senate:

Committee Room,  
Austin, Texas, February 21, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Free Conference Committee appointed on part of the Senate to consider and adjust the differences between the two houses on House bill No. 4, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the Senate adhere to its amendments to said bill.

LLOYD,  
Chairman on part of Senate.

#### HOUSE BILL NO. 173—SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

House bill No. 173, "An Act to repeal Title LXXXII of the Revised Statutes of the State of Texas, and to pass in lieu thereof this act: To license physicians and surgeons and endeavor to regulate the practice of medicine, and to punish persons violating the provisions thereof in the State of Texas."

#### SENATE BILL NO. 29—ON THIRD READING.

On motion of Senator Harris of Hunt, the constitutional rule requiring bills to be read on three several days was suspended and Senate bill No. 29 (Industrial School Bill) put on its third reading and final passage by the following vote:

Yeas—19.

Davidson of	Miller.
DeWitt.	Neal.
Davidson of	Paulus.
Galveston.	Savage.
Dibrell.	Sebastian.
Grinnan.	Stafford.
Hanger.	Turner.
Harris of Bexar.	Wayland.
Harris of Hunt.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	

Nays—3.

Patterson.	Yett.
Turney.	

Absent.

Beaty.	Potter.
Goss.	Staples.
Johnson.	Swann.
McGee.	

Absent—Excused.

James.	Odell.
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Bill was read third time, and  
Senator Savage offered the following amendment:

"Amend by striking out in Section 12, line 15, the words 'fifty thousand' wherever they occur and insert 'forty thousand.'"

#### ADJOURNMENT.

Pending action on the foregoing amendment to Senate bill No. 29, the Senate, at 5:10 o'clock p. m., on motion of Senator Davidson of DeWitt, adjourned until 10 o'clock a. m. tomorrow.

#### TWENTY-NINTH DAY.

Senate Chamber,

Austin, Tex., Friday, Feb. 22, 1901.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

#### Present—23.

Beaty.	Neal.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Grinnan.	Staples.
Hanger.	Swann.
Harris of Bexar.	Turney.
Harris of Hunt.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.
Miller.	

#### Absent—6.

Dibrell.	Patterson.
Goss.	Stafford.
McGee.	Turner.

#### Absent—Excused.

James. Odell.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Davidson of Galveston, the same was dispensed with.

#### EXCUSED.

On motion of Senator Staples, Senator Swann was excused for non-attendance upon the Senate yesterday, on account of important business.

#### PETITIONS AND MEMORIALS.

Senator Miller presented a petition from citizens of Dallas, asking a \$25,000 appropriation for the Texas Volunteer Guard.

Read, and referred to Committee on Finance.

The Chair laid before the Senate a memorial from citizens of Motley county, asking that Chapter 2, of the First Called Session of the Twenty-sixth Legislature be amended so as to authorize the patenting of homestead claims which were applied for, and which were surveyed prior to May 23, 1898.

Read, and referred to Committee on Public Lands and Land Office.

Senator Sebastian presented a petition from citizens of Cisco, Texas, praying that the girls' industrial school be not attached to the Agricultural and Mechanical College, but be left to the Board of Regents of the institution.

Senator Davidson of DeWitt presented the following memorial:

#### SECRETARY'S OFFICE,

#### TEXAS LIVE STOCK ASSOCIATION.

San Antonio, Tex., Feb. 18, 1901.

*To the Honorable Members of the Twenty-Seventh Legislature of the State of Texas:*

We take pleasure in presenting for your perusal and consideration the following resolutions passed at the tenth annual meeting of the Texas Live Stock Association held in the city of Fort Worth, Texas, February 12 and 13, last.

The Texas Live Stock Association has a membership of something over four hundred, this membership comprising the best and best known citizens of the State, all of whom are interested in the various branches of the live stock industry of this State. The object and purpose of this association is to up-build the live stock industry of Texas in all its branches, and farmers and stockmen prominent in growing sheep, hogs, horses and cattle are on our membership roll.

Each of the subjoined resolutions received the unanimous endorsement of the convention, and we trust that every member of the House and Senate will do everything possible to aid in having the legislation referred to in these resolutions placed upon the statute books of the State. In asking this we do not think our demands are at all unreasonable, as the live stock industry of Texas is paramount to any other.

Respectfully submitted,

CHARLES SCHREINER.

President Texas Live Stock Ass'n.

VORIES P. BROWN,

Sec. and Treas. Texas Live Stock Association.

#### LIVE STOCK AND FEEDING EXPERIMENTS AT A. AND M. COLLEGE.

Whereas, The State of Texas is now supposed to maintain an experiment sta-